

PUBLIC HEARING--August 18, 1965

Appeal #8321 Hedin Const. Corp. appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and ~~unanimously~~ carried with Mr. Davis dissenting the following Order was entered on August 25, 1965:

ORDERED:

That the appeal for a variance from the FAR requirements of the C-1 District to permit basement apartment unit, said variance not to exceed 1.08 at 1200 Perry St. N.E., lot 804, square 3925, be granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot, which is located in the C-1 District, has a frontage of 75 feet on Perry Streets and depths of 87 feet and 90.11 feet and contains an area of 5806 square feet.

(2) Appellant has provided five off-street parking spaces at the rear of the property.

(3) This proposed apartment units contains a living room 18 x 14 feet four inches; a kitchen 14' x 14'4"; a bath 8'2" x 14'4" and one bedroom 11'8" x 14'4". In making this conversion in the C-1 District appellant is required to have an FAR of 1.08 which was required to utilize this basement portion of the building for apartment purposes.

(4) The building is three stories plus basement and was erect in 1964 under existing regulations. The two top floors constitute apartment dwelling. The first floor is used for the offices of the owner. The basement at present has an unfinished portion to the north of the building which is readily adaptable for apartment usage although erected for office purposes.

(5) Appellant states that he has been unable to get an office tenant in the basement.

(6) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a hardship within the provisions of Section 8207.11 of the Zoning Regulations and that a denial of the request would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner. We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.